

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v William J Custer**

Docket No. **282796**

L.C. No. **02-001451-FC & 02-001454-FC**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal and motion to appoint counsel filed January 2, 2008, are DISMISSED for lack of jurisdiction because the application was not filed within 12 months of the March 14, 2006 order as required by MCR 7.205(F)(3). Because the motion for reconsideration of the March 14, 2006 order was not filed within 21 days of March 14, 2006, the starting point for this appeal was March 14, 2006. Furthermore, because the amended motion for relief from judgment was not filed within 21 days of the March 14, 2006 order, it constituted a successive motion for relief from judgment. Under MCR 6.502(G)(1) a decision on the motion cannot be appealed.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 17 2008

Date

Sandra Schultz Mengel
Chief Clerk